



## Ratification Kit

# Côte d'Ivoire

### **Why is it important for Côte d'Ivoire to ratify the United Nations Protocol to abolish the death penalty?**

**Côte d'Ivoire abolished the death penalty for all crimes in 2000.** The country adopted a new Constitution in 2016 whose Article 3 provides that “the death penalty is abolished”. It has not carried out any executions since its independence in 1960.

As the Constitution is the legislative reflection of a country's supreme values, those which restrict application of the death penalty in their Constitutions demonstrate the importance they attach to this issue.

Ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights is extremely important, both nationally and locally, because it is the only text with worldwide reach aiming to abolish the death penalty.

Ratifying the Protocol is a very symbolic act, reflecting the universal trend towards abolition of capital punishment, considered to be cruel, inhuman or degrading treatment. **It is essential that the world's abolitionist countries ratify this Protocol.**

### **What are the international commitments already taken by Côte d'Ivoire to ratify the Protocol?**

Côte d'Ivoire demonstrated its commitment as regards abolition of the death penalty by co-sponsoring and voting in favor of **six UNGA Resolutions for a moratorium on the use of the death penalty in 2007, 2008, 2012, 2014 and 2016** – it was absent in 2010.

Côte d'Ivoire participated in **the Universal Periodic Review of the Human Rights Council in 2019** and accepted the recommendation to ratify the Second Optional Protocol to the International Covenant to Civil

and Political aiming at the abolition of the death penalty. The **Human Rights Council** would inevitably commend Côte d'Ivoire if it ratified the Protocol.

In his Concluding Observations in **2015**, the **Human Rights Committee** encouraged Côte d'Ivoire to consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights.

In **2018**, the **African Commission on Human and Peoples' Rights** recommended Côte d'Ivoire to ratify the Second Optional Protocol to the ICCPR.

### **What are the steps to be taken as regards internal law?**

According to Article 7.2 of the Protocol, it “is subject to ratification by any State that has ratified the Covenant or acceded to it.” **Côte d'Ivoire acceded to the International Covenant on Civil and Political Rights in 1992** and is therefore competent to ratify this Protocol.

Among the obligations incumbent upon Côte d'Ivoire following ratification of the Protocol are the **prohibition of executions and withdrawal of the death penalty from internal criminal law**. These two obligations **have already been fulfilled** by Côte d'Ivoire. It may therefore now **unreservedly** ratify the Protocol.

The President of the Republic is competent to sign and ratify international treaties, with the

consent of the Parliament, in accordance with Article 119 of the Constitution.

The instrument of ratification must then be deposited with the UN Secretary General (Article 7.2 of the Protocol).

### **What are the legal obstacles to ratification?**

There is **no legal obstacle** as the death penalty has been abolished in the Constitution of Côte d'Ivoire.

We therefore encourage Côte d'Ivoire to ratify this Protocol as soon as possible.

### **How can ratification of the Protocol be implemented?**

The Protocol shall come into force three months after the instruments of ratification have been deposited with the UN Secretary General (Article 8.2 of the Protocol).

According to Article 3 of the Protocol, Côte d'Ivoire must submit reports to the Human Rights Committee covering the measures it has adopted to give effect to the Protocol.

The World Coalition Against the Death Penalty also encourages Côte d'Ivoire to support the adoption of an **African Protocol** on the abolition of the death penalty.

*For more information, contact the World Coalition Against the Death Penalty and visit its website: <http://www.worldcoalition.org/protocol>*